

23 JUN 2006

United States Patent and Trademark Office



Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WENDEROTH, LIND & PONACK L.L.P.
2033 K. STREET, NW
SUITE 800
WASHINGTON DC 20006

In re Application of	:	
Yamamichi et al.	:	
Application No. 10/552,586	:	
PCT No.: PCT/JP04/05528	:	
Int. Filing Date: 14 April 2004	:	COMMUNICATION
Priority Date: 24 April 2003	:	
Atty. Docket No.: 2005_1537A	:	
For: Parameter Generation Apparatus,	:	
Encryption System, Decryption	:	
System, Encryption Apparatus,...	:	

This is in response to the declaration of the inventors filed on 12 October 2005, which is being treated under 37 CFR 1.42.

BACKGROUND

This international application was filed on 14 April 2004, claimed an earliest priority date of 24 April 2003, and designated the U.S. The International Bureau communicated a copy of the published international application to the USPTO on 04 November 2004. The 30 month time period for paying the basic national fee in the United States expired at midnight on 24 October 2005. Applicants filed, *inter alia*, the basic national fee on 12 October 2005.

DISCUSSION

Review of the declaration of the inventors filed on 12 October 2005 reveals that joint inventor Masato YAMAMICHI is indicated to be "deceased," and that Masami Yamamichi, Satomi Yamamichi and Keiko Yamamichi have all signed the declaration as "Heir and Legal Representative of Masato YAMAMICHI." 37 CFR 1.42 provides in part that

In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent.

Meanwhile, 37 CFR 1.497(b)(2), as amended effective 08 September 2000, provides that

If the person making the oath or declaration is not the inventor (§§ 1.42, 1.43 or 1.47), the oath or declaration shall state the relationship of the person to the inventor, and, upon information and belief, the facts which the inventor would have been required to state. If the person signing the oath or declaration is the legal representative of a deceased inventor, the oath or declaration shall also state that the person is a legal representative and the citizenship, residence and mailing address of the legal representative.

Further examination of the declaration reveals that it provides citizenship, residence and postal address information for the deceased inventor and for each of the legal representatives who have signed (specifically, Masami Yamamichi, Satomi Yamamichi and Keiko Yamamichi). The declaration is in compliance with the requirements of 37 CFR 1.497(a) and (b).


CONCLUSION

The declaration is **ACCEPTED** under 37 CFR 1.42.

This application is being forwarded to the National Stage Processing Branch for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **12 October 2005**.



Richard Cole
PCT Legal Examiner
Office of PCT Legal Administration



George M. Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283
Fax: (571) 273-0459